

## **EXHIBIT A**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Declaration Under 37 C.F.R. § 1.131**

Atty. Docket No.  
**CROSS1450**

|  |                                  |
|--|----------------------------------|
| Applicant<br><b>David G. Lee</b>   |                                  |
| Application Number<br><b>09/681,535</b>                                      | Date Filed<br><b>04/24/01</b>    |
| Title<br><b>Network Analyzer/Sniffer with Multiple Protocol Capabilities</b> |                                  |
| Group Art Unit<br><b>2663</b>  | Examiner<br><b>Hyun, Soon D.</b> |
| Confirmation Number:<br><b>9732</b>  |                                  |

**Certificate of Mailing Under 37 C.F.R. §1.8**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450 on August 25, 2001.

Katherine Cope

Signature

Katherine Cope

Printed Name

Dear Sir:

I, David G. Lee, hereby make the following declarations:

1. I am the sole inventor for the above-identified patent application.
2. The above-identified patent application was filed with the United State Patent and Trademark Office on April 24, 2001.
3. The invention of the above-identified patent application was conceived in the United States at least as early as September 1999.
4. The invention was reduced to practice as a prototype software program at least as early as November 1999.
5. Attached hereto as Exhibit B is a copy of an invention disclosure I submitted to Crossroads Systems, Inc. evidencing conception at least as early as September 1999 and prototyping at least as early as November 1999.
6. I understand and acknowledge that willful false statements and the like are punishable by fine or imprisonment, or both, and may jeopardize the validity of the above-identified patent application or any patent issuing thereon.

7. All statements of my own knowledge contained in this Declaration are true, and that all statements made on information and belief are believed to be true.

Respectfully submitted,



David G. Lee

Date: August 24, 2004.